

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0196 – Onion Creek Plaza **Z.A.P. DATE:** October 7, 2008
Nursing & Rehabilitation Center

ADDRESS: 11411 Old San Antonio Road

OWNER: Haviland Lake Partnership, L.P.
(William S. Walters, III and
Jeffrey N. Drinkard)

AGENT: Alice Glasco Consulting
(Alice Glasco)

ZONING FROM: CS-MU-CO **TO:** GO **AREA:** 4.355 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – conditional overlay (GO-CO) combining district zoning. The Conditional Overlay prohibits residential treatment.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

October 7, 2008: *APPROVED GO-CO DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT.*

[C. HAMMOND; T. RABAGO – 2ND](6-0) K. JACKSON – ABSENT

ISSUES:

A property owner to the west (across Old San Antonio Road) has provided a statement of support for the Applicant's rezoning request.

The Applicants has met with the Onion Creek Homeowners Association to discuss the proposed rezoning case.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a portion of a platted lot with frontage on Old San Antonio Road, and is part of the Double Creek Village Phase II development approved for general commercial services – mixed use – conditional overlay (CS-MU-CO) zoning in June 2004. The Conditional Overlay prohibits several of the more intense CS land uses. Double Creek Village is currently undeveloped and across Old San Antonio Road to the west, the land use pattern consists of undeveloped land and a few single family residences (County). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant proposes to rezone the property to the general office (GO) district in order to develop a convalescent services use, which is not a permitted land use in the CS district. Access is proposed to be taken to Old San Antonio Road. The requested zoning is less intense than that currently permitted, and is compatible with the surrounding land uses. The

Conditional Overlay to prohibit the residential treatment use is consistent with the 2004 zoning case.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO	Undeveloped
<i>North</i>	CS-MU-CO	Undeveloped
<i>South</i>	MF-2	Undeveloped
<i>East</i>	CS-MU-CO	Undeveloped
<i>West</i>	County	Undeveloped; Single family residences on large lots; Office

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 1037 – Homeless Neighborhood Association 1113 – Austin Parks Foundation

SCHOOLS:

Menchaca Elementary School

Paredes Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0019 – Double Creek Village-Phase II – 11000-11100 Block of South IH-35 Service Road Southbound	I-RR (Upon Annexation) to CS	To Grant CS-CO with a list of prohibited uses and conditions of the TIA.	Approved CS-CO as Commission recommended, with Restrictive Covenant for the TIA (6-17-04).
C14-04-0018 – Double Creek Village Tract 2 –	I-RR to GR	To Grant GR-CO with conditions. The CO is for a list of prohibited	Approved ().

11001-11119 Block of South 1 st Street		uses.	
C14-03-0053 – Double Creek Village – 11000 Block of South IH-35 Service Road Southbound	I-RR to CS	To Grant CS-CO for Tract 1; GR-CO for Tract 2, with conditions. CO is for list of prohibited uses; and prohibits access to Old San Antonio Road. Restrictive Covenant for the Traffic Impact Analysis.	Approved ZAP recommendation (12-11-03).

RELATED CASES:

The property was annexed into the full-purpose City limits on June 21, 2004 (C7A-04-004).

The rezoning area is part of the Double Creek Village – Phase II zoning case (approximately 124 acres) completed in June 2004 (C14-04-0020). The zoning consisted of two tracts: Tract 1 was zoned CS-MU-CO with the conditional overlay prohibiting several of the more intense CS uses. Tract 2 was zoned multifamily residence–low density (MF-2) district. A Traffic Impact Analysis was approved along with the 2004 zoning application.

The property is a portion out of Block “B” of Double Creek Village, a subdivision recorded on December 21, 2006 (C8-05-0076.0A). Please refer to Exhibit B.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Old San Antonio Road	56 feet	25 feet	Collector	No	No	No

CITY COUNCIL DATE: October 23, 2008

ACTION:

ORDINANCE READINGS: 1st

2nd





3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719




 **SUBJECT TRACT**
 **ZONING BOUNDARY**
 **PENDING CASE**

1" = 400'

ZONING

ZONING CASE#: C14-2008-0196
ADDRESS: 11411 OLD SAN ANTONIO RD
SUBJECT AREA: 4.355 ACRES
GRID: F11
MANAGER: W. RHOADES

EXHIBIT A

OPERATOR: S. MEEKS



This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



LEGEND

Line	Year	Distance
1	1953	100.04
2	1954	100.04
3	1955	100.04
4	1956	100.04
5	1957	100.04
6	1958	100.04
7	1959	100.04
8	1960	100.04
9	1961	100.04
10	1962	100.04
11	1963	100.04
12	1964	100.04
13	1965	100.04
14	1966	100.04
15	1967	100.04
16	1968	100.04
17	1969	100.04
18	1970	100.04
19	1971	100.04
20	1972	100.04
21	1973	100.04
22	1974	100.04
23	1975	100.04
24	1976	100.04
25	1977	100.04
26	1978	100.04
27	1979	100.04
28	1980	100.04
29	1981	100.04
30	1982	100.04
31	1983	100.04
32	1984	100.04
33	1985	100.04
34	1986	100.04
35	1987	100.04
36	1988	100.04
37	1989	100.04
38	1990	100.04
39	1991	100.04
40	1992	100.04
41	1993	100.04
42	1994	100.04
43	1995	100.04
44	1996	100.04
45	1997	100.04
46	1998	100.04
47	1999	100.04
48	2000	100.04
49	2001	100.04
50	2002	100.04
51	2003	100.04
52	2004	100.04
53	2005	100.04
54	2006	100.04
55	2007	100.04
56	2008	100.04
57	2009	100.04
58	2010	100.04
59	2011	100.04
60	2012	100.04
61	2013	100.04
62	2014	100.04
63	2015	100.04
64	2016	100.04
65	2017	100.04
66	2018	100.04
67	2019	100.04
68	2020	100.04
69	2021	100.04
70	2022	100.04
71	2023	100.04
72	2024	100.04
73	2025	100.04
74	2026	100.04
75	2027	100.04
76	2028	100.04
77	2029	100.04
78	2030	100.04
79	2031	100.04
80	2032	100.04
81	2033	100.04
82	2034	100.04
83	2035	100.04
84	2036	100.04
85	2037	100.04
86	2038	100.04
87	2039	100.04
88	2040	100.04
89	2041	100.04
90	2042	100.04
91	2043	100.04
92	2044	100.04
93	2045	100.04
94	2046	100.04
95	2047	100.04
96	2048	100.04
97	2049	100.04
98	2050	100.04
99	2051	100.04
100	2052	100.04

No.	Ratio	Radius	Arc Length
C1	0.5725 44"	1009.66	112.44
C2	0.6702 37"	1150.30	8.39
C3	1.043 21"	705.00	131.94
C4	1.446 28"	765.00	203.23

BEARING BASIS NOTE:
THE BEARING BASIS FOR THIS SURVEY IS
TEXAS CENTRAL ZONE NAD 83 MONUMENTS
USED ARE CITY OF AUSTIN AND LOWER
OCEAN LAGO. (SEE 14200000, MONUMENTS TO AUSTIN)

**DOUBLE CREEK VILLAGE
BLOCK "B"**
*A ONE (1) LOT SUBDIVISION
CONSISTING OF 63.722 ACRES*
DATE: OCTOBER, 2005
PREPARED BY:

PREPARED BY:
Bury+Partners
ENGINEERING SOLUTIONS
3345 Bee Caves Road, Suite 200 Austin, Texas
Tel. (512)328-0011 Fax (512)328-0325
Bury+Partners, Inc. ©Copyright 2006

Drawn by: M42 Approved by: M42 Project No.: 1550-01.20 Task No.: 1550/07/155007PL2.dwg

C8--05-0076.0A

13026

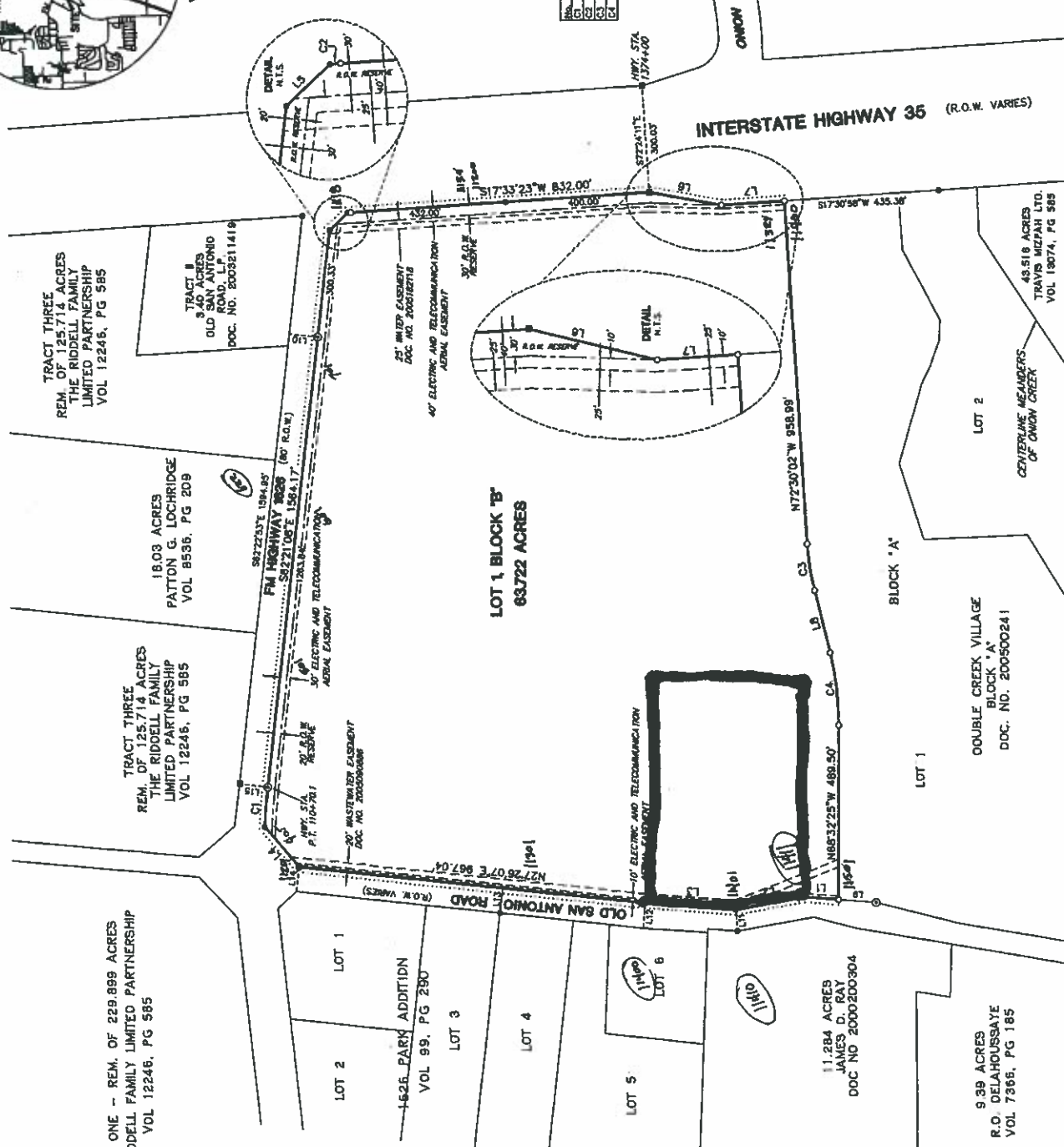


EXHIBIT B
RECORDED PLAT

PHOTOGRAPHIC MYLAR

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – conditional overlay (GO-CO) combining district zoning. The Conditional Overlay prohibits residential treatment.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

The general office (GO) district is intended for offices and selected commercial uses predominantly serving community or City-wide needs, such as medical or professional offices. A building in a GO district may contain more than one use.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

The requested zoning is less intense than that currently permitted, and is compatible with the surrounding land uses. The Conditional Overlay to prohibit the residential treatment use is consistent with the 2004 zoning case.

EXISTING CONDITIONS

Site Characteristics

The subject property is undeveloped and drains towards Onion Creek, to the south.

Impervious Cover

The maximum impervious cover allowed by the GO zoning district would be 80%, which is a consistent figure between the watershed and zoning regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Onion Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within, or adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

This site must comply with the TIA approved with zoning cases C14-04-0019 and C14-04-0020.

If Onion Creek Parkway is not going to be extended to the site as a public roadway, an update to the TIA will be required at the time of site plan to demonstrate that acceptable levels of service can be maintained for the intersections analyzed within the TIA approved for this site.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

- a. The site is subject to compatibility standards. Along the South, West, and North property lines, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. Because the site is adjacent to SF-2, compatibility setbacks will also apply to the Front property line.
- d. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- e. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- f. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- g. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- h. No parking or driveways are allowed within 25 feet of the property line.
- i. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

Rhoades, Wendy

From: Jim Ray [REDACTED]
Sent: Monday, September 29, 2008 2:56 PM
To: Rhoades, Wendy
Cc: Jeff Drinkard; Bill Walters; Cindy Kohler; [REDACTED]; [REDACTED]
Subject: Onion Creek Plaza Nursing and Rehab Center; Zoning Case No. C14-2008-0196
Attachments: Jim Ray.vcf

Dear Ms. Rhoades –

My name is Jim Ray. I am the managing partner for the White House Joint Venture, which owns property located at 11400 and 11410 Old San Antonio Road, which as I understand it is located immediately across the street from your proposed zoning case. From my discussions with Alice Glasco and Jeff Drinkard, it is my further understanding that Mr. Drinkard and his partners are proposing that a senior living or nursing home together with a rehab or physical therapy center be built across the street from my property, and that they need a zoning change to do so.

Based upon what I know about what is being proposed, and with the understanding that the rehab center, as proposed, will be some form of physical therapy center as opposed to some sort of drug and alcohol treatment center, I think that their proposed use would be appropriate for the property and I would like to go on record as being in favor of the proposed zoning change.

If you have any additional information on the proposed request, please do not hesitate to contact me. Thank you



**TEXAS COMMERCIAL
INVESTMENTS, INC.**

Jim Ray
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9/29/2008